

suggested in the claims of U.S. Patent No. 6,512,079. The repeating unit derived from an aromatic diamine in the present invention is not derived from a heterocyclic organic base compound (such as an imidazole compound) containing two more nitrogen atoms. In U.S. Patent No. 6,512,079 a heterocyclic organic base compound is used as a catalyst in acylation and/or trans-esterification and is not incorporated into the units of the resulting polyester. Therefore, the method claimed in U.S. Patent No. 6,512,079 does not render obvious the claims of the present invention.

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

Claims 1 and 3-10 have also been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-5 of U.S. Patent Publication No. 2005/0080227 (U.S. Patent Publication No. 2005/0080227 only has claims 1-4).

Applicants respectfully traverse this rejection for essentially the same reasons as set forth above in the previous rejection. That is, the repeating unit derived from an aromatic amine having a hydroxyl group in the present claims is not disclosed or suggested in the claims of the reference. Although an organic base compound (such as a pyridine compound) containing one nitrogen atom is disclosed in the claims of U.S. Publication No. 2005/0080227, the base compound serves as a catalyst in an acylation reaction and/or ester-exchange reaction in the method disclosed in U.S. Publication No. 2005/0080227 and is not incorporated into the units of

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Response under 37 C.F.R. § 1.111

the resulting polyester. Therefore, the method claimed in U.S. Publication No. 2005/0080227 does not render obvious the presently claimed invention.

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

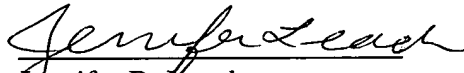
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